APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,874	06/11/2001	Tony McCormack	476-2028	2638

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EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/878,874	MCCORMACK ET AL.
	Examiner	Art Unit
	Haresh Patel	2154

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10-15 and 19-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) *1-8,10 and 13-15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 June 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-8, 10-15 and 19-25 are subject to examination. Claims 2-8, 10 and 12-15 are

cancelled.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The following title is suggested: "Establishing telephone calls at a specified future time

using URI and web-based telephony application".

Drawings

3.   New corrected drawings are required in this application because figures 1-3, dated

6/11/2001, do not show, claimed invention, i.e., establishing a telephone call at specified future

time, accessing a uniform resource identifier URI comprising the specified future time, a call

source and destination to automatically set up a telephone call. Applicant is advised to employ

the services of a competent patent draftsperson outside the Office, as the U.S. Patent and

Trademark Office no longer prepares new drawings. A proposed drawing correction or corrected

drawings are required in reply to the Office action to avoid abandonment of the application. The

amended replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. The replacement sheet(s)

should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to

obstruct any portion of the drawing figures. If the examiner does not accept the changes, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Claim Objections

4.   Claims 1-8, 10, 13-15 are objected to because of the following informalities:

Claim 1 mentions, "the future time specified", which should be "the specified future

time".

Claims 2-8 and 10, mention, "A method as claimed in claim", which should be "The

method as claimed in claim".

Claims 13-15 mention, "A signal as claimed in claim", which should be "The signal as

claimed in claim".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

5.   Claims 12-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

6.   The claims 12-15 claim a signal, which is a non-statutory subject matter and the claimed

subject matter is software per see that is not tangibly embodied on a computer readable medium

and therefore lacks a practical application because it alone cannot produce its intended outcome.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 1-8, 10-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Newman, U.S. Publication 2003/0037109 in view of applicant's admitted prior art, AAPA,

page 1, Farris et al., 6,574,216 (Hereinafter Farris), Blackketter et al., U.S. Publication

2002/0056129 (Hereinafter Blackketter) and Grandgent et al., U. S. Publication 2003/0021400

(Hereinafter Grandgent).

9.   As per claims 1, 11, 22 and 23, Newman teaches a method of establishing a telephone

call over a communications network at a specified time (e.g., paragraph 40, col., 3) using a web-

based telephony application (e.g., figure 6C, paragraph, 18, page 2) for establishing a telephony

communication over a communication network (e.g., figure 10, paragraph 77, col., 5) .

comprising:

        (i) accessing a message comprising the specified time and also comprising information

about a call source and destination (e.g. paragraph 64, page 4 and paragraph 17, pages 1-2); and

(ii) at the time specified in the message, instructing a telephony switch to set up a

telephone call between the source and destination specified in the message (e.g. paragraph 64,

page 4 and paragraph 17, pages 1-2) to effect /over the communications network (e.g., figure 10,

paragraph 77, col., 5), an input arranged to access a message (e.g., figure 6C, paragraph, 18, page

2) comprising the specified time (e.g., paragraph 40, col., 3) and information about a call source

and call destination (e.g. paragraph 64, page 4 and paragraph 17, pages 1-2), a computer program

arranged / signal (e.g., figure 6C, paragraph, 18, page 2) to control a telephony switch to setup a

telephone call (e.g. paragraph 64, page 4 and paragraph 17, pages 1-2) / connect the source and

destination at the specified time to route (e.g., paragraph 48, col., 3) the telephony

communication.

Newman also discloses use of directory name service (e.g., paragraph 64, page 4) and the

messages that can be used to send or receive containing scheduling information (e.g., paragraph

84, page 6).

However Newman does not specifically mention about use of uniform resource identifier

(URI). AAPA discloses the well-known use of uniform resource identifier (URI) and Directory

Number (DN) information (e.g., lines 15 – 18, page 1).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman with the teachings of AAPA in order to facilitate

use of uniform resource identifier (URI) because the usage of URI would help support messaging

mechanism to schedule a teleconference using any messaging means that can help schedule the

teleconference. The URI would help implement the messaging mechanism to send/receive

messages among the devices used for establishing the telephone call over the communication

network at a specified time using a web-based telephony application.

Newman and AAPA do not specifically mention about switch to automatically set up a

call. Farris discloses the well-known concept of switch to automatically set up a call (e.g., col.,

5, lines 3 – 12).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman and AAPA with the teachings of Farris in order

to facilitate switch to automatically set up a call because the switch would help set up a call

without manual intervention. The call set up by the switch would help users to communicate

with each other.

Newman, AAPA and Farris do not specifically mention about usage of future time

specified in URI.

Blackketter discloses a well-known concept of using future time specified in URI (e.g.,

abstract, paragraph 50, col., 4, figures 11, 4-6).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA and Farris with the teachings of

Blackketter in order to facilitate usage of future time specified in URI because the URI would

provide the future time information to the receiving device. The receiving device would utilize

the future time information.

Newman, AAPA, Farris and Blackketter do not specifically mention about call setup at

future time.

Grandgent discloses a well-known concept of call setup at future time (e.g., paragraph 82, page 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Newman, AAPA, Farris and Blackketter with the teachings of Grandgent in order to facilitate call setup at future time because the call setup would provide communication at the future time information with the receiving device. The receiving device would utilize the future time information.

10.   As per claim 2, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed limitations rejected under claim 1 and Newman also teaches the following:

receiving the message from another entity selected from a web site and a software application on a user terminal (e.g., paragraph 63, page 4).

11.   As per claim 3, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed limitations rejected under claim 1 and Newman also teaches the following:

receiving the message from a web-based conference call booking application (e.g., figure 6C, paragraph, 18, page 2).

12.   As per claim 4, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed limitations rejected under claim 1 and Newman also teaches the following:

accessing a message comprises receiving the message from a calendar application on a user terminal (e.g., figure 6C, paragraph, 18, page 2).

13. As per claim 5, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 1 and Newman also teaches the following:

said message comprises time zone information (e.g., figure 6A, paragraph, 68, page 5).

14. As per claim 6, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 1 and Newman also teaches the following:

said information about the call destination comprises a director number (DN) (e.g.,

paragraph 64, page 4, and paragraph, 68, page 5).

15. As per claim 7, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 1 and Newman also teaches the following:

said URI comprises a plurality of directory numbers and a plurality of time ranges, one

for each directory number (e.g., paragraph 64, page 4, and paragraph, 68, page 5).

16. As per claim 8, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claims 1 and 7 and Newman also teaches the following:

instructing the telephony switch to automatically set up a telephone call to one of the

directory numbers depending on a current time and a time range (e.g., paragraph 64, page 4, and

paragraph, 68, page 5).

17.   As per claim 10, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 1 and Newman also teaches the following:

        instructing the telephony switch to display the message at a telephone terminal at the call

Source (e.g., paragraph 63, page 4).

18.   As per claims 12-15, the claims are rejected for the same reasons as above-rejected

claims 1 to 8, 10 and 11.

19.   As per claim 24, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 11. Newman also teaches a web-browser (e.g., paragraph 63,

col., 4) which includes a calendar (e.g., figure 6C).

20.   Claims 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Newman, AAPA, Farris, Blackketter and Grandgent in view of Leong et al., 5,996,010

(Hereinafter Leong) and Schuster et al., 6,857,021 (Hereinafter Schuster).

21.   As per claims 19 and 20, Newman, AAPA, Farris, Blackketter and Grandgent teach the

claimed limitations rejected under claim 11 and Newman also teaches the following:

        a web-browser (e.g., paragraph 63, col., 4) which is arranged (e.g., paragraph 63, col., 4)

to receive information (e.g., paragraph 63, col., 4).

        However, Newman, AAPA, Farris, Blackketter and Grandgent do not specifically

mention about a plurality of URIs and to select one of those URIs on the basis of the information

in each of the URIs and a parser arranged to parse URIs.

Lenong discloses the well-known concept of having a plurality of URIs (e.g., URI

directory with several URIs, figure 4) and to select (e.g., use of parser to parse URIs, col., 9,

lines 4 – 28) one of those URIs (e.g., URI directory with several URIs, figure 4) on the basis of

the information (e.g., col., 3, lines 27 – 34) in each of the URIs (e.g., URI directory with several

URIs, figure 4) and a parser arranged to parse URIs (e.g., use of parser to parse URIs, col., 9,

lines 4 – 28).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA, Farris, Blackketter and Grandgent with

the teachings of Lenong in order to facilitate parsing of multiple URIs because the parsing would

help separate the URIs and the information. The parsed information would help the software to

support processing the information contained in the URIs.

Newman, AAPA, Farris, Blackketter, Grandgent and Lenong do not specifically mention

about URIs each comprising time information.

Schuster discloses the well-known concept of URIs each comprising time information

(e.g., col., 25, lines 28 – 44, col., 16, lines 2 - 8).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA, Farris, Blackketter, Grandgent and

Lenong with the teachings of Schuster in order to facilitate URIs each comprising time

information because the time information would help the software know when to process an

event related to the time information. The software would help process the time information

related event to support processing the information contained in the URIs.

22.   As per claim 21, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 11 and Newman also teaches a processor (e.g., figure 10) which

is connected to the communications network (e.g., figure 10).

However, Newman, AAPA, Farris, Blackketter and Grandgent do not specifically

mention about a plurality of URIs.

Lenong discloses the well-known concept of having a plurality of URIs (e.g., URI

directory with several URIs, figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA, Farris, Blackketter and Grandgent with

the teachings of Lenong in order to facilitate having plurality of URIs because multiple URIs

would handle several different information supported by the URIs.

Newman, AAPA, Farris, Blackketter, Grandgent and Lenong do not specifically mention

about URIs are created which comprise time information and sent to other entities within an

internet protocol communications network for the purpose of establishing a telephony call.

Schuster discloses the well-known concept of URIs are created (e.g., col., 14, lines 26 –

38, col., 16, lines 2 - 8) which comprise time information (e.g., col., 25, lines 28 – 44, col., 16,

lines 2 - 8) and sent to other entities (e.g., col., 12, lines 18 – 34) within an internet protocol

communications network (e.g., col., 12, lines 31 – 42) for the purpose of establishing a telephony

call (e.g., col., 4, lines 3 – 9).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA, Farris, Blackketter, Grandgent and

Lenong with the teachings of Schuster in order to facilitate URIs each comprising time

information because the time information would help the software know when to process an

event related to the time information. The software would help process the time information

related event to support processing the information contained in the URIs. The URIs sent to other

entities over the network would help support the communication between users.

23.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman, AAPA,

Farris, Blackketter and Grandgent in view of Goodspeed, 2002/0065828 (Hereinafter .

Goodspeed) and Schuster.

24.   As per claim 25, Newman, AAPA, Farris, Blackketter and Grandgent teach the claimed

limitations rejected under claim 11. Newman, AAPA, Farris, Blackketter and Grandgent do not

specifically mention about URI includes, password information; time zone information; address

information.

        Goodspeed discloses the well-known concept of URI (e.g., paragraph 10, col., 2)

includes, password information (e.g., paragraphs 67 – 69); time zone information (e.g.,

paragraph 333, page 22); address information (e.g., paragraph 333, page 22).

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Newman, AAPA, Farris, Blackketter and Grandgent with

the teachings of Goodspeed in order to facilitate URI including password information because

the password information would help authenticate information related to the URI. The software

would help handle password information for processing the call.

        Newman, AAPA, Farris, Blackketter, Grandgent and Goodspeed do not specifically

mention about protocol information.

Schuster discloses the well-known concept of using protocol information (e.g., usage of SIP URI, col., 16, lines 1 – 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Newman, AAPA, Farris, Blackketter, Grandgent with the teachings of Schuster in order to facilitate usage of protocol information because the protocol information would help support formatting the information related to the URI. The software would help handle protocol information for processing the call.

Conclusion

25.   The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

November 9, 2005
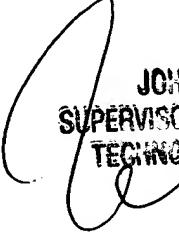
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